

Message Text

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PAGE 01 PARIS 14564 01 OF 02 081148Z
ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-11 ISO-00
HA-05 TRSE-00 CIAE-00 INR-10 NSAE-00 AID-05
DODE-00 PM-05 H-01 L-03 PA-01 SP-02 SS-15
NSCE-00 SSO-00 ICAE-00 INRE-00 OIC-02 /117 W
-----041589 081219Z /45

O R 081133Z MAY 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC IMMEDIATE 1151
INFO AMEMBASSY TEL AVIV
USMISSION GENEVA
USMISSION USUN

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 14564

NESCO

E.O. 11652: GDS
TAGS: PORG, SHUM, UNESCO, IS
SUBJECT: UNESCO: 104TH EXBD: ISRAELI PLANS FOR
POSSIBLE INTERVENTION ON AGENDA 7.1.6
SPECIAL COMMITTEE ON THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE

REF: PARIS 14554

1. AMBASSADOR, DEPUTY PERMREP, AND DEPUTY DIRECTOR
IO/UNESCO, MET MAY 6 FOR ONE AND ONE-HALF HOURS WITH
ISRAELI SPECIAL REP AMABASSADOR EMILE NAJAR AND
ISRAELI PERMREP MEIR JOFFE TO DISCUSS ISRAELI PLANS FOR
POSSIBLE INTERVENTION ON REF AGENDA ITEM.

2. NAJAR SAID HE WOULD RATHER NOT ASK FOR THE FLOOR TO
MAKE A STATEMENT, BUT DEPENDING ON HOW THE DEBATE WENT,
HE MIGHT HAVE TO. IN HIS VIEW, (PERMDEL AGREES) THE
BEST TACTIC WOULD BE TO RAISE SO MANY PROCEDURAL
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QUESTIONS IN THE PROGRAM COMMISSION (WHERE THE ITEM IS
STILL EXPECTED TO COME UP TUESDAY, MAY 9) THAT
THE COMMISSION WOULD TRANSFER IT TO THE PLENARY.
CHAIRMAN OF PROGRAM COMMISSION IS EL WAKIL (EGYPT)
WHO WOULD HAVE LESS LATTITUDE IN ATTEMPTING TO DERAIL
THE ITEM THAN WOULD MARTIN (UK) WHO WILL CHAIR PLENARY.

3. NAJAR FEELS OPPOSITION TO TAKING ACTION, WHETHER THAT OPPOSITION IS MOUNTED BY HIM OR PREFERABLY BY FRIENDLY DELEGATIONS, SHOULD FOCUS SOLELY ON PROCEDURAL ISSUES AND SHOULD NOT GET INTO THE SUBSTANCE OF THE "INALIENABLE RIGHTS." HE HAS DEVELOPED A LEGAL RATIONALE FOR UNESCO'S NOT TAKING ACTION, WITH THE FOLLOWING MAJOR POINTS:

A. RE RESOLUTIONS 32/91 AND 32/171, REFERENCE TO CONTRIBUTION OF DG TO REPORT OF SYG IS NOT NECESSARY. QUESTION IS NOT NEW AND A PROCEDURE ALREADY EXISTS IN THAT RESPECT. MOREOVER, THE REPORT OF THE DG'S TEAM THAT VISITED THE TERRITORIES IS IN PREPARATION, AND ANY NEW INITIATIVE BEFORE PRESENTATION OF THAT REPORT IS OUT OF ORDER AND INADVISABLE.

B. INVITATION ADDRESSED TO DG (BY THE ARAB DRAFT RESOLUTION, REFTEL, CANNOT BE APPROVED BECAUSE:

(1) QUESTION IS CONTROVERSIAL. MANY STATES BELIEVE COMMITTEE ON INALIENABLE RIGHTS IS POLITICAL INSTRUMENT OF PLO, IS PARTIAL AND UNILATERAL, AND ITS ACTION INTENDED TO BYPASS RESOLUTIONS 242 AND 338.

(2) EXBD HAS NOT, ACCORDING TO
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ARTICLE V OF UNESCO CONSTITUTION, THE COMPETENCE TO GIVE THE DG DIRECTIVES IN MATTERS WHICH ARE NOT INCLUDED IN THE PROGRAM APPROVED BY THE GENERAL CONFERENCE. PARA. 5, ARTICLE V, MAKES THIS CLEAR.

(3) RESOLUTION 32.40, WHICH REFERS TO WORK OF THE COMMITTEE ON INALIENABLE RIGHTS, DOES NOT MAKE ANY CALL TO SPECIALIZED AGENCIES. RESOLUTION, FOR INSTANCE, REQUIRES DISTRIBUTION OF THE REPORT OF THE COMMITTEE TO THE COMPETENT BODIES OF THE UN WITHOUT MENTIONING IN ANY WAY THE SPECIALIZED AGENCIES. PARA. 45 OF THE COMMITTEE'S REPORT STATES THAT ITS WORKS CANNOT PROGRESS UNTIL THE SECURITY COUNCIL TAKES A DECISION ON THE QUESTION OF PALESTINE. THE DEMAND ADDRESSED TO THE DG TO CONTRIBUTE TO THE WORK OF THE COMMITTEE IS NOT ONLY OUTSIDE SCOPE OF THE COMPETENCE OF THE EXBD BUT ALSO UNJUSTIFIED.

(4) AGREEMENT BETWEEN UN AND UNESCO DOES

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C O N F I D E N T I A L SECTION 02 OF 02 PARIS 14564

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NOT PROVIDE FOR AUTOMATIC ACCEPTANCE OF UN RESOLUTIONS
BY UNESCO. ON THE CONTRARY, UNESCO UNDERTAKES TO SUB-
MIT FORMAL RECOMMENDATIONS MADE TO IT TO THE
EXAMINATION OF UNESCO'S COMPETENT ORGAN.

4. USDEL WILL KEEP IN CLOSE TOUCH WITH NAJAR, AND
WILL MAKE THESE POINTS IF IT APPEARS THAT THEY WILL
HELP EITHER GET RID OF THE ISSUE AT THE COMMISSION
LEVEL, OR MOVE IT TO PLENARY IF IT APPEARS A DECISION
WOULD GO THE WRONG WAY IN COMMISSION.

5. MARTIN TOLD US THIS MORNING THAT ARABS MAY BE
PREPARED TO WATER-DOWN THEIR RESOLUTION TO MAKE IT SO
BLAND THAT IT WILL BE ACCEPTABLE TO ALMOST EVERYONE,
AND CAN BE ADOPTED BY CONSENSUS.

6. HE IS TAKING FURTHER SOUNDINGS THIS MORNING,
WHICH MAY INFLUENCE DECISION AS TO WHETHER ISSUE IS
DISCUSSED IN COMMISSION (TO, IN MARTIN'S WORDS,
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"DEDRAMATIZE" IT) OR MOVED TO PLENARY WHERE
MARTIN WOULD BE IN CHAIR. WE WILL KEEP DEPARTMENT
ADVISED OF RESULTS OF THESE SOUNDINGS. REGARDLESS
OF MODIFICATIONS IN TEXT, IF ANY RESOLUTION IS
ADOPTED ON THIS SUBJECT, USDEL WILL MAKE A STATEMENT
FOR THE RECORD THAT IT WAS NOT A PART OF THE CONSENSUS.
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Message Attributes

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TAGS: PORG, SHUM, IS, XF, UNESCO
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